

check-out station at a retail store.

45. (New) The system as set forth in claim 2, wherein said point of sale terminal comprises a restaurant payment terminal.
46. (New) The system as set forth in claim 2, wherein said point of sale terminal comprises an online payment terminal associated with an online store.
47. (New) The system as set forth in claim 2, wherein said transaction is completed while said device is communicating via a voice link with said point of sale terminal.
48. (New) The system as set forth in claim 2, wherein said data indicative of a selected amount of monetary units is transmitted at least substantially simultaneously with a voice communication from said device to said point of sale terminal or to a server or to an operator associated with said point of sale terminal.
49. (New) The system as set forth in claim 2, wherein an electronic receipt indicative of said sale is transmitted to said device.

REMARKS

Claim 1-3 are pending in the application. By this amendment, claim 2 is amended, claim 3 is cancelled, and claims 4-49 are added. Entry of these amendments is respectfully requested.

In view of the foregoing amendments, the accompanying Declaration of Prior Invention in the United States to Overcome Cited Reference (37 C.F.R. Sect. 1.131) (hereafter "Declaration"), and the following remarks, reconsideration is respectfully requested.

The examiner has rejected claims 1-3 under 35 U.S.C. 102(e) as being anticipated by Ausems, et al. (6,424,403 B1). Enclosed, and forming a part of this response, is applicant's Declaration of Prior Invention.

As set forth in that Declaration, Ausems et al. is antedated by applicant's inventorship activity. In particular, on information and belief, applicant conceived of the presently claimed invention before the filing date of Ausems et al., and was duly diligent from before the filing date of Ausems et al. to the date on which the provisional patent application (Serial No. 60/147,987), to which this application claims priority, was filed on August 10, 1999.

Accordingly, it is believed that the rejection based upon Ausems et al. should be withdrawn.

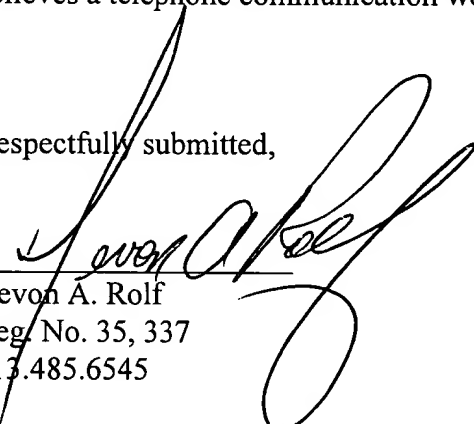
The examiner also rejected claim 2, under 35 U.S.C. 112(2), as being indefinite. The examiner points out that claim 2 recites two processors, one in line 2 and another in line 8,

and that it is unclear if these are two different processors or the same processor. Applicant has amended claim 2 to clarify that these are two different processors, one now claimed as "a processor located in a wireless communications device" and the other as a "terminal processor".

Dependent claims 4-49 have been added. In particular, claims 4-26 depend (directly or indirectly) from claim 1 and claims 27-49, which are otherwise identical to claims 4-26, depend (directly or indirectly) from claim 2. Each of these claims is believed to be allowable by virtue of its dependence from an allowable base claim, and also because of the additional limitation(s) set forth in each dependent claim.

It is believed that this application is in condition for allowance. Such action is respectfully requested. The examiner is welcome to contact the applicant by telephone, at the number listed below, if the examiner believes a telephone communication would advance prosecution.

Respectfully submitted,



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